

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

FRED MCCLURE, Derivatively on Behalf of)	
RUSSELL COMMODITY)	
STRATEGIES FUND, RUSSELL)	Civil Action No. 1:13-cv-12631-LTS
EMERGING MARKETS FUND,)	
RUSSELL GLOBAL EQUITY FUND,)	
RUSSELL GLOBAL INFRASTRUCTURE)	
FUND, RUSSELL GLOBAL)	
OPPORTUNISTIC CREDIT FUND,)	
RUSSELL INTERNATIONAL)	
DEVELOPED MARKETS FUND,)	
RUSSELL MULTI-STRATEGY)	
ALTERNATIVE FUND, RUSSELL)	
STRATEGIC BOND FUND, RUSSELL)	
U.S. SMALL CAP EQUITY FUND, and)	
RUSSELL GLOBAL REAL ESTATE)	
SECURITIES FUND,)	
)	
Plaintiff,)	
)	
v.)	
)	
RUSSELL INVESTMENT MANAGEMENT)	
COMPANY,)	
)	
Defendant.)	

STIPULATION AND [PROPOSED] ORDER EXTENDING DISCOVERY DEADLINES

Plaintiff Fred McClure (“Plaintiff”), defendant Russell Investment Management Company (“RIMCo”), and defendant Russell Fund Services Company (“RFSC”) (“Defendants” and, collectively, the “Parties”), through their undersigned counsel, hereby respectfully submit the Stipulation and [Proposed] Order Extending Discovery (the “Stipulation”).

WHEREAS, on March 11, 2014, the undersigned Parties agreed and filed the Joint Statement (Document No. 26) pursuant to Local Rule 16.1 of the Local Rules of the United States District Court for the District of Massachusetts and Rule 26(f) of the Federal Rules of Civil Procedure in advance of an initial scheduling conference;

WHEREAS, on April 16, 2014, the Court entered an Order (Document No. 35) setting forth various discovery and case-related deadlines in the above-captioned action (“*McClure I*”);

WHEREAS, over the course of 2014 Plaintiff and Defendants have met and conferred and resolved various discovery-related issues between the Parties;

WHEREAS neither Plaintiff nor Defendants believe fact discovery can reasonably be completed by December 31, 2014;

WHEREAS, on December 8, 2014, Plaintiff filed a related action against Defendants RIMCo and RFSC (“*McClure II*”);

WHEREAS, on December 17, 2014, the Court held a status conference and directed the parties to submit a proposed stipulation and order extending discovery deadlines by December 31, 2014;

WHEREAS, subject to the Court's approval, having met and conferred regarding the outstanding schedule for discovery, the Parties have agreed to extend the schedule.

NOW, THEREFORE, it is hereby STIPULATED and AGREED by and between the undersigned that:

1. Defendants are to respond to Plaintiff’s complaint in *McClure II* by January 30, 2015;
2. Fact discovery (other than expert) to be completed by June 1, 2015;
3. Plaintiff’s trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by August 1, 2015;
4. Defendants’ trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by October 1, 2015;
5. Plaintiff’s rebuttal expert reports are due by November 1, 2015;
6. All experts to be deposed by January 4, 2016;

7. Dispositive motions due by February 1, 2016;
8. Oppositions to dispositive motions due by March 1, 2016;
9. Replies to oppositions to dispositive motions due by April 1, 2016.
10. Final pretrial conference set for August 1, 2016; and
11. Trial set for August 15, 2016.
12. Each and every deadline stipulated to and agreed upon is conditioned upon Defendants' representation that they will complete production of substantially all documents in *McClure I* by January 16, 2015 and produce a privilege log identifying each document withheld from production in *McClure I* by February 16, 2015. For each day after January 16, 2015 that Defendants have failed to complete their production of substantially all documents in *McClure I*, each and every deadline will also be extended by a day. In the event the Parties disagree on when Defendants have completed production of substantially all documents in *McClure I*, Plaintiff reserves the right to seek Court intervention on the matter.
13. Plaintiff has propounded additional discovery requests to Defendants in support of his claims against RFSC in *McClure II*. While Defendants agree that they must produce some documents in response to these requests, the Parties have not yet agreed on the scope of Defendants' production. In the event the Parties have any disagreements regarding Plaintiff's additional discovery requests or any other discovery-related matter, they reserve the right to seek Court intervention on any such matter.

STIPULATED AND AGREED TO BY:

Dated: 12/31/2014

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/s/ Edward B. Gerard

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*Counsel for defendants Russell Investment
Management Company and Russell Fund
Services Company*

SO ORDERED:

HONORABLE LEO T. SOROKIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on January 1, 2015 this document was filed through the Court's CM/ECF system and will be sent electronically to the registered participants identified in the Notice of Electronic Filing (NEF).

/s/ Sean T. Carnathan
Sean T. Carnathan (#636889)